

REMARKS

By this amendment, claims 1, 10, and 11 have been amended. Claims 1-11 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Claims 1, 10, and 11 have been amended as suggested in the Advisory Action, and are believed to be in condition for allowance.

Claims 1-2 and 4-6 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Lee et al. (US 6,190,913). This rejection is respectfully traversed.

Claim 1, as amended, recites an image data correcting device comprising, *inter alia*, "determining means for determining whether the first image data corresponds to a halftone image; and intensity changing means for changing an intensity of the first image data to a predetermined low intensity, ... wherein the determining means retains the first image data without change when the first image data corresponds to the halftone image, and wherein said predetermined low intensity corresponds to a background level" (emphasis added). Lee et al. does not disclose these limitations.

As noted in the Office Action, Lee et al. discloses changing an intensity of image data to black. Office Action, page 3, ln. 19-20. Applicants respectfully submit that there is no intensity changing means for changing an intensity of the first image data to a predetermined low intensity, wherein said predetermined low intensity corresponds to a background level as recited in claim 1.

Lee et al. further discloses that "[o]nce the halftone pixels in a document image are labeled as represented in the halftone line map on output 18 of FIG. 1, halftone pixel removal process 20 of FIG. 1 is started and strictly applied to the halftone pixels only." Col. 8, ln. 36-41. In addition, in FIG. 2A of Lee, if a gray-scale pixel triggers the "NO"

path 211, there will always be a change in the intensity, as the decision 215 causes the pixel to be changed to white (237) or black (228). Lee et al. FIG. 2A, Col. 1-21.

Applicants respectfully submit that there is no determining means that retains the first image data without change when the first image data corresponds to the halftone image as recited in claim 1.

Since Lee et al. does not disclose all the limitations of claim 1, claim 1 and dependent claims 2 and 4-6 are not anticipated by Lee et al. Applicants respectfully request that the 35 U.S.C. § 102(a) rejection of claims 1-2 and 4-6 be withdrawn.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of Stoffel (US 4,194,221). This rejection is respectfully traversed. Claim 3 depends from claim 1 and is patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claim 3 be withdrawn.

Claims 7-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of Sakamoto et al. (US 5,235,436). This rejection is respectfully traversed. Claims 7-9 depend from claim 1 and are patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 7-9 be withdrawn.

Claims 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of Hanyu (US 5,995,658). This rejection is respectfully traversed. In order to establish a *prima facie* case of obviousness "the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. §2142. Neither Lee et al. nor Hanyu, even when considered in combination, teach or suggest all limitations of independent claims 10 or 11.

Claims 10 and 11 recite an image data correcting device comprising, *inter alia*, “determining means for determining whether the first image data corresponds to a halftone image; and intensity changing means for changing an intensity of the first image data to a predetermined low intensity, ... wherein the determining means retains the first image data without change when the first image data corresponds to the halftone image, and wherein said predetermined low intensity corresponds to a background level” (emphasis added). Lee et al. does not teach or suggest these limitations.

As discussed above regarding the patentability of claim 1, as noted in the Office Action, Lee et al. discloses changing an intensity of image data to black. Office Action, page 3, ln. 19-20. Applicants respectfully submit that there is no intensity changing means for changing an intensity of the first image data to a predetermined low intensity, wherein said predetermined low intensity corresponds to a background level as recited in claims 10-11.

Lee et al. further discloses that “[o]nce the halftone pixels in a document image are labeled as represented in the halftone line map on output 18 of FIG. 1, halftone pixel removal process 20 of FIG. 1 is started and strictly applied to the halftone pixels only.” Col. 8, ln. 36-41. In addition, in FIG. 2A of Lee, if a gray-scale pixel triggers the “NO” path 211, there will always be a change in the intensity, as the decision 215 causes the pixel to be changed to white (237) or black (228). Lee et al. FIG. 2A, Col. 1-21. Applicants respectfully submit that there is no determining means that retains the first image data without change when the first image data corresponds to the halftone image as recited in claims 10-11.

Nor is Hanyu cited for these limitations. Thus, Hanyu does not remedy the deficiencies of Lee et al. Since Lee et al. and Hanyu do not teach or suggest all of the

limitations of claims 10-11, claims 10-11 are not obvious over the cited references.

Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 10-11 be withdrawn.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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